

RESOLUTION NO. 2020-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL AS REQUIRED BY THE PROVISIONS OF THE CITY CHARTER

WHEREAS, pursuant to Section 1000 of the City Charter of the City of Newport Beach, a General Municipal Election shall be held on the first Tuesday after the first Monday of November in each even numbered year for the election of municipal Officers and for such other purposes as the City Council may prescribe; and

WHEREAS, under the provisions of Sections 400 *et seq.* and 1000 of the City Charter of the City of Newport Beach, a General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of members of the City Council to represent the Second, Fifth and Seventh Districts, for a term of four years.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: Pursuant to the provisions of Sections 400 *et seq.* and 1000 of the City Charter, there is called and ordered to be held in the City of Newport Beach, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing members of the City Council to represent the Second, Fifth and Seventh Districts for the full term of four years.

Section 2: The ballots to be used at the election shall be in form and content as required by law.

Section 3: The City Clerk is authorized, instructed, and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary to properly and lawfully conduct the election.

Section 4: Pursuant to Senate Bill 450, Vote Centers and Ballot Drop Boxes will be open throughout Orange County as follows:

11-Day Vote Centers:

- October 24 to October 30, 2020, from 8:00 a.m. to 5:00 p.m.
- October 31 to November 2, 2020, from 8:00 a.m. to 8:00 p.m.
- November 3, 2020, from 7:00 a.m. to 8:00 p.m.

4-Day Vote Centers:

- October 31 to November 2, 2020, from 8:00 a.m. to 8:00 p.m.
- November 3, 2020, from 7:00 a.m. to 8:00 p.m.

1-Day Pop-Up Centers:

- At various locations throughout the County of Orange, dates, times, and locations to be determined.

Ballot Drop Boxes

- Available 24 hours a day, seven days a week, starting October 5, 2020, until November 3, 2020 at 8:00 p.m.

Section 5: In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 6: Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

Section 7: In the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Orange Registrar of Voters, the tie vote shall be settled by the casting of lots pursuant to Section 400 of the City Charter of the City of Newport Beach.

Section 8: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 9: The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City of Newport Beach upon presentation of a properly submitted bill.

Section 10: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 11: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 12: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 13: This resolution shall take effect immediately upon adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

ADOPTED this 12th day of May, 2020.



Will O'Neill
Mayor

ATTEST:



Leilani I. Brown
City Clerk



APPROVED AS TO FORM:



Aaron C. Harp
City Attorney

STATE OF CALIFORNIA }
COUNTY OF ORANGE }
CITY OF NEWPORT BEACH } ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; the foregoing resolution, being Resolution No. 2020-44, was duly introduced before and adopted by the City Council of said City at a regular meeting of said Council held on the 12th day of May, 2020; and the same was so passed and adopted by the following vote, to wit:

AYES: Mayor Will O'Neill, Mayor Pro Tem Brad Avery, Council Member Joy Brenner, Council Member Diane Dixon, Council Member Duffy Duffield, Council Member Jeff Herdman, Council Member Kevin Muldoon
NAYS: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 13th day of May, 2020.



Leilani I. Brown
City Clerk
Newport Beach, California

